

### III. REMARKS

Claims 1-22 are pending in this application. By this amendment, claims 1, 11, 20 and 21 have been amended and claim 22 has been added. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Final Office Action dated January 14, 2005, claims 1-21 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Frey *et al.* (U.S. Patent No. 5,390,328), hereafter "Frey." Applicants assert that Frey does not teach each and every feature of the claimed invention. For example, with respect to independent claims 1, 11, 20 and 21, Applicants submit that Frey fails to teach or suggest the shared queue being shared for getting and putting message data among all of the distributed subsystems. The invention in Frey groups Central Processing Complexes (CPC) together in a coupled configuration and manages lists of data, which are shared among the CPCs. Col. 3, lines 26-31. Frey may use these lists to send messages from one CPC to another. Col. 6, lines 16-18. However, in the Frey invention, the list into which the message is placed is not shared for both getting and putting message data among all of the CPCs, but rather is processed by the receiving CPC. Col. 6, lines 18-20. In contrast, the present invention includes "...the shared queue being shared for getting and putting message data among all of the distributed subsystems." Claim 1. As such, the shared queue of the present invention is not processed by the receiving CPC as in Frey, but rather is shared for getting and putting message data among all of the distributed subsystems. Thus, the shared queue as included in the

present invention is not equivalent to the lists of data in Frey. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With further respect to independent claims 1, 11, 20 and 21, Applicants respectfully submit that Frey also fails to teach or suggest communicating message data between all of the distributed subsystems by means of the shared queue. As stated above, Frey requires a sending CPC to use a list processed by a receiving CPC to transmit a message to the receiving CPC. Col. 6, lines 18-20. Accordingly, a different list must be used for each receiving CPC. The present invention, in contrast, includes "...communicating message data between all of the distributed subsystems by means of the shared queue." Claim 1. As such, the shared queue as claimed in the current invention is used to communicate message data between all of the distributed subsystems rather than using one list for each processing CPC as in Frey. For the above reasons, the use of one list per processing CPC of Frey is not equivalent to the communication by means of a shared queue as included in the present invention. Accordingly, Applicants request that the rejection be withdrawn.

With regard to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

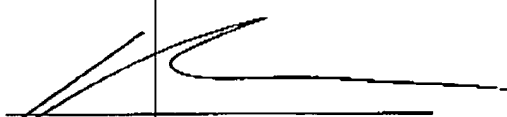
With regard to newly added independent claim 22, Applicants submit that the cited references do not teach or suggest each and every feature of the claimed invention. Accordingly, Applicants submit that the claim is in condition for allowance.

#### IV. CONCLUSION

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

Date: April 14, 2005



Ronald A. D'Alessandro  
Reg. No.: 42,456

Hoffman, Warnick & D'Alessandro LLC  
Three E-Comm Square  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)

BEST AVAILABLE COPY